

REMARKS

Claims 1-4 remain pending. Claims 1-3 are amended. No claims are canceled or added.

Claim 1 stands rejected under 35 U.S.C. § 102(e) as anticipated by *Patel* (U.S. Patent No. 6,246,435). Applicants respectfully submit that the rejection should be withdrawn.

To justify the rejection, an Office Action would need to indicate how the reference teaches the claimed subject matter. However, the present Office Action does not indicate, for each element recited in the claim, which element in *Patel* is relied upon to anticipate the claim element. Although a paragraph of discussion appears on page 2 of the Office Action, this explanation does not address every element in the claim.

For example, the Office Action does not explain how *Patel* supposedly discusses extracting “characteristic values” as specified in the claim. More particularly, there is no indication of which *Patel* element is the characteristic value relied upon to justify the rejection. For at least this reason alone, the rejection has not been justified.

Applicants acknowledge that *Patel* discloses that certain parameters that are useful in defining the image represented by the reference video signal and that the parameters may be spatial energy, temporal energy, and frequency signature. (Column 2, lines 7-9.) However, those values, which are extracted from a picture transmission path, must be reinserted back into the picture transmission path. (Column 2, lines 1-29.)

In contrast, applicant’s invention does not require that the characteristic values, which are extracted from the picture transmission path, be reinserted back into the picture transmission path. As shown above, claim 1 is now amended to specifically recite this feature to emphasize the distinction between the claimed invention and *Patel*.

Accordingly, applicants now request the withdrawal of the anticipation rejection based on *Patel*.

Claims 1, 2, and 4 stand rejected under 35 U.S.C. § 102(e) as anticipated by *Wolf et al.* (U.S. Patent No. 6,496,221). Applicants respectfully submit that the rejection should be withdrawn.

As with the other rejection, the Office Action does not provide fully explain how the rejection is justified. The paragraph of discussion on page 3 of the Office Action does not indicate the correspondence of specific parts of *Wolf et al.* to specific elements recited in the rejected claims.

For example, the Office Action does not explain how *Wolf et al.* supposedly discusses extracting “characteristic values” as specified in the claim. More particularly, there is no indication of which *Wolf et al.* element is the characteristic value relied upon to justify the rejection. For at least this reason alone, the rejection has not been justified.

Although applicants could conjecture that the *Wolf et al.* quality parameters 40 are relied upon to teach “characteristic values,” these parameters are not processed in *Wolf et al.* the same way that applicants’ invention processes “characteristic values.”

In *Wolf et al.*, input calibration processor 8 receives input stream copy 6 (extracted using coupler 2) to estimate the video delay of video transmission system 3 and to produce a calibrated input video stream 20 from input video stream copy 6 that is time synchronized, or *delayed in time* to match output video stream copy 7. (Column 4, lines 9-13.) Such processing is not necessary in applicants’ apparatus.

That is, applicants’ invention does not require that data extracted from the picture transmission path at one predetermined point be delayed in time for synchronization to match

data extracted at another predetermined point. As shown above, claims 1 and 2 are now amended to specifically recite this feature to emphasize the distinction between the claimed invention and *Wolf et al.* (Claim 4 depends from claim 2, so claim 4 incorporates this amendment by reference to the parent claim.)

Accordingly, applicants now request the withdrawal of the anticipation rejection based on *Wolf et al.*

If for some reason the Examiner ultimately decides to maintain either the rejection based on *Patel* or the rejection based on *Wolf et al.*, applicants respectfully request that the Office Action clearly indicate the elements of the prior art that correspond to the elements of the claims. For example, applicants would need to know which prior art elements are relied upon to teach “characteristic values” and how they are not required to be reinserted back into the picture transmission path and how they are not delayed in time for synchronization to match other characteristic values. Merely providing general quotations from the disclosures does not provide such indication.

In another matter, applicants appreciate the indication that claim 3 would be allowable if rewritten in independent form. As shown above, claim 3 is rewritten accordingly. (Claim 3 does not recite the subject matter now added to claim 2.) Thus, applicants now solicit the allowance of claim 3.

In yet another matter, applicants note that the Office Action does not acknowledge applicants’ claim for foreign priority. Applicants request that the next communication from the Examiner provide such acknowledgement.

In view of the remarks above, applicants now submit that the application is in condition for allowance. Accordingly, a Notice of Allowability is hereby requested. If for any reason it is

believed that this application is not now in condition for allowance, the Examiner is welcome to contact applicants' undersigned attorney at the telephone number indicated below to discuss resolution of the remaining issues.

If this paper is not timely filed, applicants petition for an extension of time. The fee for the extension, and any other fees that may be due, may be debited from Deposit Account No. 50-2866.

Respectfully submitted,

WESTERMAN, HATTORI, DANIELS & ADRIAN, LLP

A handwritten signature in black ink, appearing to read "Joseph L. Felber", written in a cursive style.

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